

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

FEMIJE TAIRI,

Plaintiff,

v.

Case No: 2:21-cv-209-JLB-MCR

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

ORDER

The Magistrate Judge has entered a Report and Recommendation, recommending that the Commissioner of Social Security's Unopposed Motion for Entry of Judgment with Remand (Doc. 26) be granted. (Doc. 27.) No objection has been filed and the time to do so has expired.

A district judge may accept, reject, or modify the magistrate judge's report and recommendation. 28 U.S.C. § 636(b)(1). The district judge must "make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made." Id.

Here, mindful that no objection has been filed, the Court finds that the thorough and well-reasoned Report and Recommendation is due to be adopted.

Accordingly, it is **ORDERED**:

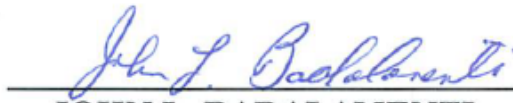
1. The Report and Recommendation (Doc. 27) is **ADOPTED**.
2. The Commissioner's Unopposed Motion for Entry of Judgment with Remand (Doc. 26) is **GRANTED**.

3. The decision of the Commissioner is **REVERSED** and this case is **REMANDED** under sentence four of 42 U.S.C. § 405(g) for further administrative action and proceedings as follows:

Upon remand, the Administrative Law Judge should (1) further consider whether Plaintiff's medically determinable impairments meet the regulatory definition of severe, either singularly or in combination; (2) offer Plaintiff an opportunity for a hearing; (3) take any further action needed to complete the administrative record; and [(4)] issue a new decision.

4. Plaintiff is instructed that any application for fees, costs, or expenses must comply with the Court's Standing Order on Management of Social Security Cases, In re Administrative Orders of the Chief Judge, No. 3:21-mc-1-TJC, Doc. 43 (Dec. 7, 2021).
5. The Clerk is **DIRECTED** to enter judgment accordingly, terminate any pending motions and deadlines, and close the file.

ORDERED at Fort Myers, Florida, on April 14, 2022.



JOHN L. BADALAMENTI
UNITED STATES DISTRICT JUDGE